

Memorandum

DATE: APR 05 2004

REPLY TO: EM-23 (John Lehr, 301-903-2011)
ATTN OF:

SUBJECT: Draft Fernald Environmental Management Closure Project Risk-Based End State Vision Document

TO: Robert F. Warther, Manager, Ohio Field Office

The principles of the Department of Energy's (DOE) Top-to-Bottom Review have transformed the Office of Environmental Management purpose from simply managing risk at the expense of taxpayers, to accelerating real risk reduction by expeditiously cleaning up the Cold War legacy. A cornerstone of this effort is the development of a site-specific Risk-Based End State (RBES) Vision Document for each DOE site, pursuant to DOE Policy 455.1, *Use of Risk-based End States*, and associated guidance. RBES and its documentation in an associated RBES Vision Document depict appropriately protective and sustainable site conditions, by which current regulatory and other parameters can be described, evaluated and contrasted. This is not a decision document, rather, it is intended to support informed decisionmaking regarding responsible site cleanup. Development of a RBES Vision and identification of potential variances from a current end state do not signal an intent to perform less cleanup, nor to pursue shortcuts around current laws, regulations or agreements. Furthermore, while a RBES approach may ultimately reduce cleanup costs, the RBES vision is not driven by cost considerations.

My office has reviewed the draft Fernald Closure Project RBES Document. The review determined that the document generally meets the requirements of the RBES policy and guidance. The February draft is well-written and appears to be complete. Additional information has been included in response to comments from the previous draft. New text describing ecological risk assessments performed and how the results were incorporated into the remedial strategy has been included. Citations for risk assessment and other records of decision reports have been added. The end-state use is appropriately risk-based and is consistent with the surrounding land uses. The end-state land use also has buy-in from stakeholders.


Additional information and detailed comments from review of the draft RBES Vision Document will be provided by my staff for your use in improving your RBES documentation for resubmission. Final documents particularly should address the identified risk management issues and should clearly identify the basis for, timing of, and uncertainty in risk estimates.

Because of the importance of involving stakeholders in the RBES Vision process, I want to ensure that there is adequate time for this to occur. No RBES Vision Document will be considered final without having benefited from an open and timely public outreach initiative.

RBES Vision documents must reflect this dialog and be sensitive to stakeholders concerns. We will not proceed without this step, but because RBES Vision development is essential for informed decisionmaking in the cleanup process, plan to complete the document by September 1, 2004. Please submit a schedule to headquarters outlining major milestones for RBES document development and public interactions that reflect this completion date.

Note that there is not a direct linkage between identification of a variance from a baseline and actual pursuit of that objective. If it is in fact, decided that a particular risk-based approach is suitable, we will ensure that all appropriate legal and regulatory requirements are followed in actions to implement any revised approach.

If you should have any questions, please contact Mr. Eugene C. Schmitt, Deputy Assistant Secretary for Environmental Cleanup and Acceleration, at (202) 586-0755 or Mr. John Lehr at (301) 903-2011.



Jessie Hill Roberson
Assistant Secretary for
Environmental Management

cc: W.J. Taylor, Manager, Fernald Closure Project Office